

## SENATE BILL No. 360

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 22-11-15-5.1.

**Synopsis:** Civil actions concerning LP gas containers. Permits an individual to bring a civil action against a person who misuses a liquified petroleum (LP) gas container. Awards treble compensatory damages to a person injured as the result of misuse of an LP gas container, and permits the prevailing party to recover court costs and attorney's fees.

**Effective:** July 1, 2002.

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### Harrison

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January 8, 2002, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.

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PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## SENATE BILL No. 360

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 22-11-15-5.1 IS ADDED TO THE INDIANA  
2       CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3       [EFFECTIVE JULY 1, 2002]: **Sec. 5.1. (a) A person injured as a**  
4       **result of an act or practice that violates this chapter may bring a**  
5       **civil action:**

6               (1) for declaratory relief;

7               (2) for injunctive relief; or

8               (3) to recover compensatory damages;

9       **against the person violating this chapter. If a person is awarded**  
10       **compensatory damages under this chapter, the court shall treble**  
11       **the compensatory damages award.**

12       **(b) A person threatened with injury from an act or practice that**  
13       **would violate this chapter may bring a civil action:**

14               (1) for declaratory relief; or

15               (2) for injunctive relief;

16       **against the person violating this chapter.**

17       **(c) An action brought under this section must be commenced not**



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1 later than two (2) years after the date of the alleged violation.

2 (d) A court:

3 (1) may award costs and reasonable attorney's fees to the  
4 prevailing party in an action brought under subsection (a);  
5 and

6 (2) shall award costs and reasonable attorney's fees to the  
7 prevailing party in an action brought under subsection (b).

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